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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,699	11/14/2003	John C. Allen	MI/228	3159

28596 7590 08/23/2006

GORE ENTERPRISE HOLDINGS, INC.  
551 PAPER MILL ROAD  
P. O. BOX 9206  
NEWARK, DE 19714-9206

EXAMINER
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LOCKETT, KIMBERLY R

ART UNIT	PAPER NUMBER
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2837

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/713,699	<b>Applicant(s)</b> ALLEN ET AL.	
	<b>Examiner</b> Kim R. Lockett	<b>Art Unit</b> 2837	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-73 is/are pending in the application.  
     4a) Of the above claim(s) 62-71 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-17,19-22,24-33,35-40,42,46-49,51-53,55-59,72 and 73 is/are rejected.
- 7) ☒ Claim(s) 3,4,18,23,34,41,43-45,50,54,60 and 61 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 9, 7, 29, 31, 35, 37, and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hebestreit et al in view of Nicholl.

Hebestreit et al discloses the use of a wound string for a musical instrument with a polymer cover covering at least a portion of the string (column 10, lines 10-20) and that the use of a nylon core is conventional (column 1, lines 20-25). Hebestreit also discloses the use of a metal filler material (column 1, lines 20-25).

Hebestreit et al does not specifically disclose the use of a low temperature resin.

Nicholl et al discloses the use of a polymer with a low temperature resin.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device as disclosed by Hebestreit with the low temperature resin as disclosed by Nicholl in order to provide a resin suitable for heat sensitive materials.

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3. Claims 5, 6, 10, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hebestreit et al in view of Aladin et al.

Hebestreit et al discloses the use of a wound string for a musical instrument with a polymer cover covering at least a portion of the string (column 10, lines 10-20) and that the use of a nylon core is conventional (column 1, lines 20-25).

Hebestreit et al does not specifically disclose the specific use of a synthetic core.

Aladin discloses the use of a string with a synthetic core (column 1, lines 15-20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device as disclosed by Hebestreit with the synthetic core as disclosed by Aladin in order to achieve the best results in playing techniques.

4. Claims 8, 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hebestreit et al in view of Nicholl and Engelson.

Hebestreit et al discloses the use of a wound string for a musical instrument with a polymer cover covering at least a portion of the string (column 10, lines 10-20) and that the use of a nylon core is conventional (column 1, lines 20-25). Hebestreit also discloses the use of a metal filler material (column 1, lines 20-25).

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Hebestreit et al does not specifically disclose the use of a low temperature resin.

Nicholl et al discloses the use of a polymer with a low temperature resin.

Hebestreit and Nicholl do not disclose the use of an UV or a polyetheretherketone.

Engelson discloses the use of a synthetic material that comprises polyetheretherketone is well known in the art (column 3, line 60) and the use of a resin that is UV cured (column 9, lines 8-20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device as disclosed by Hebestreit with the low temperature resin as disclosed by Nicholl and the material and curing and disclosed by Engelson in order to achieve the appropriate thickness of the covering.

5. Claims 2, 12, 14-17, 19-22, 24-28, 30-33, 36-42,46-49, and 51-53, 55-59, and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hebestreit et al in view of Nicholl, Engelson, and Roorda et al.

Hebestreit et al discloses the use of a wound string for a musical instrument with a polymer cover covering at least a portion of the string (column 10, lines 10-20) and that the use of a nylon core is conventional (column 1, lines 20-25). Hebestreit also discloses the use of a metal filler material (column 1, lines 20-25).

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Hebestreit et al does not specifically disclose the use of a low temperature resin.

Nicholl et al discloses the use of a polymer with a low temperature resin.

Hebestreit and Nicholl do not disclose the use of a cover with porosity or fluoropolymer.

Engelson discloses the use of a synthetic material that comprises polyetheretherketone is well known in the art (column 3, line 60) and the use of a resin that is UV cured (column 9, lines 8-20).

Hebestreit, Nicholl, and Engelson do not disclose the use of a cover with porosity or fluoropolymer.

Roorda discloses the use of a porous polymer cover with fluoropolymer that is polytetrafluoroethylene (column 4, lines 25-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device as disclosed by Hebestreit with the low temperature resin as disclosed by Nicholl, the material and curing as disclosed by Engelson and the fluoropolymer as disclosed by Roorda in order to achieve coat the interior surfaces of the pores.

6. Claims 3,4,18, 23, 34, 41, 43-45, 50, 54, 60, and 61 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


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7. Papers related to this application may be submitted to Group 2800 by facsimile transmission. Papers should be faxed to Group 2800 via the PTO 2800 Fax Center at 703-872-9306.

For assistance in **Patent procedure, fees or general Patent questions** calls should be directed to the **Patents Assistance Center (PAC)** whose **telephone number is 800-786-9199**. Assistance is also available on the Internet at [www.uspto.gov](http://www.uspto.gov).

Any inquiry concerning **this communication or earlier communications from the examiner** should be directed to **Kim Lockett** whose **telephone number is (571) 272-2067**. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan can be reached on (571) 272-1988



**KIMBERLY LOCKETT  
PRIMARY EXAMINER**